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Communications, Inc., Willy C. Shih,  
Teresa H. Meng, Craig H. Barratt,  
Andrew S. Rappaport, Dan A. Artusi,  
Charles E. Harris, Marshall L. Mohr,  
And Christine King

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

JOEL KRIEGER, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

ATHEROS COMMUNICATIONS, INC.,  
DR. WILLY C. SHIH, DR. TERESA H.  
MENG, DR. CRAIG H. BARRATT,  
ANDREW S. RAPPAPORT, DAN A.  
ARTUSI, CHARLES E. HARRIS,  
MARSHALL L. MOHR, CHRISTINE  
KING, QUALCOMM INCORPORATED,  
AND T MERGER SUB, INC.

Defendants.

No. 5:11-CV-00640-LHK(HRL)

**REQUEST FOR JUDICIAL NOTICE  
IN SUPPORT OF THE ATHEROS  
DEFENDANTS' MOTION TO  
DISMISS FIRST AMENDED CLASS  
ACTION COMPLAINT**

Judge: Hon. Lucy H. Koh

Hearing Date: May 31, 2012

Hearing Time: 1:30 p.m.

Location: Courtroom 4, 5<sup>th</sup> Floor

Date Action Filed: February 10, 2011

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that the undersigned defendants hereby request, pursuant  
3 to Rule 201 of the Federal Rules of Evidence, that this Court take judicial notice of the  
4 following documents which are attached as exhibits to the Declaration of David M. Furbush  
5 in Support of the Atheros Defendants' Motion to Dismiss the First Amended Class Action  
6 Complaint, filed herewith ("Furbush Declaration"):

7 1. Preliminary Proxy Statement filed by Atheros Communications, Inc.  
8 ("Atheros") and dated February 1, 2011, which is attached as Exhibit 1 to the Furbush  
9 Declaration.

10 2. Definitive Proxy Statement filed by Atheros and dated February 11, 2011,  
11 which is attached as Exhibit 2 to the Furbush Declaration.

12 3. Definitive Additional Materials filed by Atheros and dated March 7, 2011,  
13 which is attached as Exhibit 3 to the Furbush Declaration.

14 4. The Order and Memorandum Opinion of the Delaware Court of Chancery,  
15 dated March 4, 2011, in the action entitled *In re Atheros Commc'ns, Inc. S'holder Litig.*,  
16 C.A. No. 6124-VCN, which is attached as Exhibit 4 to the Furbush Declaration.

17 5. The Order of the Delaware Court of Chancery, dated March 14, 2011, in the  
18 action entitled *In re Atheros Commc'ns, Inc. S'holder Litig.*, C.A. No. 6124-VCN, which is  
19 attached as Exhibit 5 to the Furbush Declaration.

20 6. The 8-K filed by Atheros and dated March 18, 2011, which is attached as  
21 Exhibit 6 to the Furbush Declaration.

22 7. The Court properly may take judicial notice of these Securities and  
23 Exchange Commission filings and orders from other jurisdictions. *See* Fed. R. Evid. 201;  
24 *Dreiling v. Am. Express Co.*, 458 F.3d 942, 946 n.2 (9th Cir. 2006); *United States ex rel.*  
25 *Robinson Rancheria Citizens Council v. Borneo, Inc.*, 971 F.2d 244, 248 (9th Cir. 1992).

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1 Dated: March 1, 2012

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3  
4 By /s/ David M. Furbush  
David M. Furbush

5 Attorneys for Defendants Atheros  
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10 And Christine King  
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